# ACT

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# LEAVYING

OF SOME

# FORCES

For Securing the

# PEACE

OF THE

# KINGDOM,

Untill the meeting of the

# PARLIAMENT.

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*EDINBURGH*,

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# Edinbnrgh, 14. *October*, 1648.

## *Act for Leavying some Forces, for securing the Peace of the Kingdom untill the meeting of the Parliament.*

THE Committee of Estates, considering how necessary it is that some Forces bee raised for securing the Peace of the Country, untill the Forces of these who were in Arms in and about *Stirling*, and of their adherents who by Commissions and Warrants, or encouragement from them, have taken Arms to the endangering of the Peace of the Kingdom; And untill these who are now in Arms in the *Isles*, *Highlands* and Northern Shires of this Kingdom, for whose disbanding their was no undertaking by the Articles of agreement, be fully disbanded, and put out of a condition of troubling the Kingdom, and disturbing the Peace thereof; Taking also into their consideration the many Insolencies and disorders committed by those that are disbanded, and that diverse persons of quality, and others that were in the Engagement and Service, have not signified their agreement and submission to the said Articles of Treaty, but are rather indeavouring by Intestine Insurrection, or Foreigne Invasion, to overthrow the grounds of that late

agreement, and in purſuance of their own ends to continue the troubles of the Kingdom; And the Kingdom of *England* having deſired this Kingdom to uſe all means to prevent and ſuppreſſe any deſign of reinforcing a new Engagement againſt that Kingdom, to the weakning of the Amity and Union between both Nations; And the Committee of Eſtates, in diſcharge of the truſt committed to them, being moſt deſirous and carefull to preſerve the Peace of the Kingdom, untill the next enſuing Parliament, to which the determination of all queſtions and differences relating to the publick good are referred; Have therefore thought it neceſſary and expedient, and do hereby Ordain, that the number of two Thouſand ſeven Hundred and thirty Foot, and the number of ſix Hundred and twenty Horſe, be forthwith Levied and kept on foot, as a ſtanding force in the Kingdom.

And becauſe there are above ſeven Hundred Foot already together, That the particular numbers of Horſe and Foot underwritten, be preſently raiſed in the Shires following, *viz.* Out of the Sheriffdoms of *Roxburgh* and *Selkirk* Fourſcore and twelve Foot, and one and twenty Horſe. Out of the Sheriffdom of *Berwick* Fourſcore and twelve Foot, and one and twenty Horſe. Out of the Sheriffdom of *Haddingtoun*, Foureſcore and twelve Foot, and one and twenty Horſe. Out of the Sheriffdom of *Edinburgh*, Fourſcore and twelve Foot, and one and twenty Horſe. Out of the Sheriffdom of *Lithgow* fourty Foot, and twelve Horſe. Out of the Sheriffdom of *Peebles*, twenty nine Foot, and ſeven Horſe. Out of the Sheriffdom of *Dumfreis*, Fourſcore and twelve Foot, and twenty five Horſe. Out of the Sheriffdom of *Wigtoun* and *Kirkudbright*, Fourſcore and twelve

twelve Foot, and twenty four Horſe. Out of the Sheriſdom of *Air* and *Renfrew*, Fourſcore and twelve Foot, and fourty two Horſe. Out of the Sheriſdom of *Lanerk*, one Hundred and ſix Foot, and one and fourty Horſe. Out of the Sheriſdom of *Sterling* and *Clackmanan*, Fourſcore and one Foot, and twenty five Horſe. Out of the Sheriſdom of *Fyff* and *Kinroſhire*, one Hundred and eighteen Foot, and fourty eight Horſe. Out of the Sheriſdom of *Pearth*, one Hundred and ſeventy Foot, and fourty eight Horſe. Out of the Sheriſdom of *Forfar*, one Hundred and ſixteen Foot, and twenty nine Horſe. Out of the Sheriſdom of *Kinkairdin* and the Earl of *Marſhals* part of *Aberdeinſhire*, Fourſcore and twelve Foot, and eleven Horſe. Out of the reſt of the Sheriſdom of *Aberdein*, and out of the Sheriſdom of *Bamff*, one Hundred twenty and three Foot, and fifty ſeven Horſe. Out of the Sheriſdom of *Elgin*, *Narine*, and that part of *Innerneſſe* one this ſide of *Neſſe*, one Hundred and eighteen Foot, and twenty five Horſe. Out of the Earl of *Seaforth* and Lord *Lovatts* diviſion of *Innerneſſe*, Fourſcore and one Foot, and twenty five Horſe. Out of the Earl of *Seaforthes* part of *Innerneſſe*, *Sutherland* and *Cathnes*, one hundred twenty & three Foot, and twenty five Horſe. Out of the Marqueis of *Argyles* diviſion of *Innerneſſe* and *Badzenoche*, fourſcore and four Foot. Out of the Sheriſdom of *Bute* ſix Foot. Out of the Sheriſdom of *Dunbartan* three Horſe. The Sheriſdom of *Argyle* exeemed, be reaſon of the late vaſtation thereof. Out of the Sheriſdom of *Orkney*, fourſcore and four Foot.

And to the end that the Forces abovewritten may be the better Ordered, Regulated and diſpoſed of, to the beſt advantage for the preſent Service of this Kingdom

dom, The Committee of Estates Ordains the whole number of Foot to be divided into six Regiments, and commanded in manner following, *viz.* That the Laird of *Lawer's* be continued Colonel of a Regiment consisting of six hundred and fifty men effectively: And to the end that the said number may be made up and compleated, he is to have out of *Pearth-Shire* one hundred men. And out of the Sherifdom of *Peebles* 29. That Generall Major *Holburne* have the command as Colonel of a Regiment of Foot, consisting of four hundred, whereof he is to have out of *Roxburgh* and *Selkirk Shire* 92. Out of *Berwick Shire* 92. Out of *Haddingtoun Shire*, 92. Out of *Lanerk Shire*, 106. Out of *Lithgow Shire* 18. Inde four hundred. And ordains the said General Major *Holburne* to be Governour of the Castle of *Stirling*, and to place therein the number of men, out of his foresaid Regiment. That Lievtenant Colonell *James Meinzies* have the command of a Regiment, consisting of five hundred Foot, *viz.* Out of *Orknies* 84. Out of *Pearth-Shire* 59. Out of *Forfar* 32. Out of Kinkairdin and *Marshalls* part of *Aberdein*, 92. Out of the rest of *Aberdein* and *Bamff Shire*, 128. Out of *Elgin*, *Nairne*, and that part of *Innerneſſe* on this side of the Water of *Neſſe*, 100. Foot. Out of which Regiment, the foresaid Colonel is to Garison *Ennerlochy*, *Dowart*, and the Ruthven of *Badzenoch*. That Sir *James Frisſell* have the command as Colonel of a Regiment of Foot, consisting of three hundred, which are to be placed for a Garrison in the Town of *Innerneſſe*, *viz.* That he have out of *Elgin*, *Nairne*, and that part of *Innerneſſe*, on this side of the Water of *Neſſe*, 18. Out of *Seafort*, and *Lovats* division of *Innerneſſe*, 82. Out of *Seaforth* part of *Innerneſſe*, *Sutherland*, and *Cathnes*, 123. Out of *Argyles* part of *Innerneſſe*,

*Innerneſſe*, and *Badzenoch*, 84. That Colonel *Pitſcotty* have the command of a Regiment of Foot, conſiſting of four hundred, *viz.* Out of *Stirling*, and *Clackmanan Shires*, 71. Out of *Fyffe*, and *Kinroſhires*, 118. Out of *Pearth-Shire*, 11. Which with hoſe under his command already on Foot, makes 400. Out of which number, he is to place a ſufficient Gariſon in the Town of S. *Johnſtoune*, and in the Houſes of the *Blair* of *Athelle*, and *Garth*. That Colonel *John Innes* have the command as Colonel of a Regiment of Foot, conſiſting of four hundred, *viz.* Our of *Lithgow*, 22. Out of *Edinburgh-Shire*, 92. Out of *Dumfreis-Shire*, 92. Out of *Wigtoun*, and *Kilcudbright*, 92. Out of *Air*, and *Renfrew*, 92. And out of *Stirling-Shire*, 10. Out of which number, he is to place ane ſufficient Garriſon, in the Houſes of *Strabogie*, and *Boge* of *Gight*. And Ordains out of the Sheriſdom of *Forfar*, fourty men to be placed, as a Garriſon for the Caſtle of *Edinburgh*, and other fourty men for the Caſtels of *Dumbartan*, and *Duglas*.

And for the better regulating of the foreſaid number of Horſe, the Committee of Eſtates, nominats, appoints and Ordains the Lord *Chancellour* to have the command of ane Troop, conſiſting of 80. Horſemen; which proportion, is voluntarily and freely offered to be advanced to his Lordſhip by the Colledge of *Juſtice*. And that the *Lord Generall* his *Excellency*, ſhall have the command of ane Troop of Horſe conſiſting of 60. *viz.* Out of *Roxburgh*, and *Selkirk-Shires*, 41. And out of *Berwick* 19. That Lievtenant Generall *David Leſly* have the command of a Troop, conſiſting of 60, *viz.* Out of *Lanerk* 12. And out of *Fyffe* 48. That Colonel *Robert Mongomry*, have the

the command of a Troop consisting of 60. *viz.* Ou of *Dumfreis* 25. Out of *Galloway* and *Kirkcudbright* 4. t And out of *Air* and *Renfrew* 11. That Colonel *Scot*, have the command of a Troop as Ruitmaster thereof, consisting of 60. *viz.* Out of that part of *Aberdein* not belonging to the Earl of *Marshals* part of the *Shire*, 46. Out of *Elgin*, *Nairne*, and that part of *Innernesse* on this side of the Water of *Nesse*. 14. That Colonell *Gilbert Ker* have the command of a Troop, as Ruitmaster thereof, consisting of 60, *viz.* Out of *Elgin*, *Nairn*, and that part of *Innernesse*, one this side of the Water of *Nesse* 11. Out of the Lord *Seafort* and Lord *Lovats* division of *Innernesse* 25. Out of *Seaforths* part of *Innernesse*, *Sutherland* and *Caithnes* 25. Out of *Dumbartan* 5. *Inde* 66. And because of the great distance of the places allocat to the said *Gilbert Ker*, and the difficulty of raising his said proportion out of the same, the Generall Commissar is hereby Ordained to give him allowance in money for such men as cannot be well raised out of those parts, to make up his Troop of the said number of 60, as is appointed. That Major *Strachane* have the command of a Troop as Ruitmaster thereof, consisting of 60, *viz.* Out of *Berwick-Shire* 2. Out of *Haddingtoun Shire* 21. Out of *Edinburgh Shire* 21. Out of *Lithgow-Shire* 12. Out of *Stirling Shire* 4. Inde 60. That Major *William Stewart* have the command of a Troop as Rutmaster thereof, consisting of *viz.* Out of *Stirling-Shire* 9. Out of *Forfar* 29. Out of *Kinkardin*, and my Lord *Marshals* part of *Aberdeen*, 11. Out of *Bamff Shire* 11. inde 60. That Robert *Hacquet* be Ruitmaster of a Troop, consisting of 60. *viz.* Out of *Pearth* 48. Out of *Stirling* 12. inde 60. That L. Col. *James Lundy* be Ruitmaster of a Troop consisting of

of 60. *viz.* Out of *Air* and *Renfrew* 31. Out of *Lanerk* 29. *Inde* 60.

And to the end the countrey may not be further burdened with Billettings and Quarterings of Souldiers, after the said Forces shall once be raised and delivered to their severall Commanders, at the dayes of Randevouze after mentioned; the Committee of Estates Ordains, the haill Officers, Troops and Regiments aforesaid, to have locall assignments given to them by the Generall Commissary upon the severall Shires, for their maintenance and entertainment; And that it may appear that the establishment of the said maintenance is made proportionably, and with as great ease to the Countrey as possibly may be. The Committee doth Ordain and allow that the ten Ruitmasters above expressed, shall each of them have of pay monethly, two hundred pound Scots, *Inde per mensem.* 2000. l. Ten Lievtenants of Horse, each of them an hundred pound monethly, *Inde per mensem.* 1000. l. Ten Cornets, each of them an hundred marks monethly, *Inde per mensem.* 0666. l. 13. sh. 4.d. Ten Quartermasters of Troops, at fourty five pound a piece, monethly. *Inde* 450. l. Thirty Corporalls at 36 pound a piece monthly, *Inde* 1080. l. Ten Trumpets, each of them thirty six pound monethly, *Inde per mensem* 360. l. Ten Farriors or Smiths, each of them thirty pound monethly, *Inde* 300. l. Six hundred and twenty common Troopers, each of them 16. sh. a day *Inde per mensem.* 14880.

And that every one of the foresaid six Colonels of

the Foot Regiments, shall have each of them two hundred pound of monethly pay, *Inde per mensem* 1200. l. Majors of Foot, each of them an hundred pound monethly, *Inde per mensem.* 600. l. Twenty six Captains of Foot, each of them an hundred marks monethly, *Inde per mensem.* 1733. l. 6. sh. 8. d. Twenty six Lieutenants of Foot, each of them fourty pound monethly, *Inde per mensem.* 1040. l. Twenty six Ensignes, each of them thirty pound monethly, *Inde per mensem.* 786. Six Regiment Quartermasters, each of them fourty pound monethly, *Inde per mensem.* 240. l. Six Provest-Marshalls, each of them fourty pound monethly, *Inde per mensem.* 240. l. Fifty and two Serjants, each of them eighteen pound monethly, *Inde per mensem.* 936. l. Seventy eight Corporals, each of them twelve pound monethly, *Inde per mensem.* 936. l. Fifty two Drumers or Pypers, each of them twelve pound monethly, *Inde per mensem.* 624. Twenty six Captains at Arms, each of them fifteen pound monethly, *Inde per mensem.* 390. Two thousand seven hundred and thirty common Souldiers each of them 6. sh. *per diem*, *Inde per mensem* 25389.

And to the effect the severall Shires and Burghs in the Kingdom be not unnecessarily burthened and deceived by false musters, and so pay for men who are not in Service, the Committee of Estates Nominats and Ordeins *Hugh Kennedie* to be Generall Mustermaster, and allows to him two hundred pound *per mensem*, for his service, commanding him monethly or quarterly to take a survey of each Regiment, Troop and Company

Company of the foresaid Forces, and to take up a list of the true number thereof, and this to be done in presence of a Generall Officer, where the same can be conveniently had; With power to him to put in due execution all former Acts made against false Musters.

And further, the said Committee discharges all free quarterings of officers or souldiers after the day of Randevous underwritten apointed for the foresaid forces, & prohibits any to be quartered in Noblemen or Gentlemens houses, without speciall order from the Comittee of Estates, or some Generall Officer for that effect. And that this may be the better put to execution, the Committee nominats and appoints the Laird of *Arnot* younger of that ilk to be General quartermaster, allowing to him two hundred pounds monethly for his service, and commanding him to take special care that the Kingdom be not further burthened with free quartering, but that he be carefull to see all former Acts of Parliament to be put into due execution, which have been made to restrain the abuses anent quarterings.

And to the end the several summes of money to bee paid throughout the whole Shires and Burghs of this Kingdom, for maintenance and entertainment of the forsaid forces appointed to be kept up for the publick good may be the better collected, and for supplying of the publick necessities of the Kingdom in time comming, and for discharging the publick debts which have been contracted since the first of *September* last, for arms, amunition, provisions and other necessaries for the forces which were lately on foot under the Com-

mand of his Excellency the Earl of *Leaven*, The Committee of Estates nominates and appoints Sir *James Stewart* Provost of *Edinburgh*, Generall Collector, With power to him to substitute deputs in ilk Shire, and to appoint a Clerk of collection, Which collector deputs, as well of Shires as of Burghs and Parishes, and Clerk of collection shall have such like fees as is allowed in the Act of Taxt and Loan, and that to be uplifted out of the said Shires and Parishes, by and at-over the said maintenance; and the Burghs to be free, in respect they collect their Taxt upon their own charges; With power also to the said General Collector, to put all the former Acts of Parliament standing yet unrepealed, to due execution, so far as may conduce to the better and easier ingathering of the maintenance.

The said Committee of Estates likewise allowes to his Excellencie the Lord General, one Secretary, and to have monethly for his attendance, and the like to the Lievtenant General to have monethly for his attendance.

It is further Ordained, that each Governour of Castles, Towns, or houses within this Kingdom, commanding the number of fifty men or above in garrison, shall have an hundred Merks monthly, and commanding under that number to have the pay of a Lieutenant of Foot: And allows to his Excellency, present Governour of the Castell of *Edinburgh*, one Lieutenant, one Sarjant, two corporalls two Gunners, one Smith, one Wright and one Drummer. And ordains, that after the 16. of *October* instant 1648. their be only four-

ty Souldiers entertained in the ſaid Caſtle, and that the allowance of ſuch of them as the exchequer ſhould maintaine, be repeted from the Exchequer.

Moreover it is hereby ſpecially provided and Odained, that the Committees of War, ( conſiſting onely of ſuch perſons as have not been acceſſory to the late Engagement againſt *England*) in the ſeverall Shires, and particularly in the Sheriffdoms of *Clidſdail*, *Air*, *Renfrew*, *Galloway* and *Kirkcudbright*, *Teviodail*, *Midlothian*, *Lithgow*, *Dumbartan* and *Fiffe* take ſpeciall care to levie the foreſaid proportions of Horſe and Foot appointed to be put forth by each Shire upon the charges of thoſe alanerly, who are diſ affected, and have been promoters of the late unlawfull Engagement againſt *England*: And that thoſe onely who came forth in arms againſt the authors and abettors of the late Engagement and continued with the Army untill they were diſmiſſed by order, and ſuch other perſons who have declared themſelves againſt the Engagement, oppoſed the Enemy at home, and are known to have been conſtantly wel-affected to this Cauſe, & particularly ſuch Noblemen, Gentlemen or Burgeſſes who diſſented in Parliament, be exempted and made free from all charges and expences in this Levie.

And the Committee of Eſtates having ſeriouſly conſidered the manifold dangers and inconveniences from time to time iſſuing and ariſing to the ſtraight, vigorous and active proſecution of the Cauſe and Covenant of God within this Kingdom, through the want of that due care and circumſpectnes that ought to be uſed in the choice of Officers and Souldiers worthy to be imployed

in

in ſo good a Cauſe, as the ſad experience of former and late times hath made too evident: Have therefore Ordained, and by theſe preſents appoints and Ordains, that all the Shires and Burghs within this Kingdom faithfully endeavour to ſend forth in this Levie the ableſt and beſt affected men they can have, and none but ſuch as are of good life and converſation, teſtified under the hand of the Miniſter of the Pariſh or Seſsion thereof where they live; And that they carefully avoid the ſending forth of any Souldiers that have been in Armes for the late Engagement; And if they ſhall be neceſſitated to employ any of them, that upon no pretence any other be admitted, but ſuch as ſhall have teſtimonials of their Repentance for joyning in the late Engagement from the Miniſter of their Pariſh, or otherways from the Commiſſion of the Generall Aſſembly; and ſhall give their faithfull promiſe never to plead or ſpeak in time coming publickly nor privately in defence or in favour of the late moſt unlawfull Engagement againſt *England*; And the Generall Muſter-Maſter is hereby ſpecially Ordained to receive Teſtificats from all ſuch Troopers and Foot Souldiers that are or deſires to be imployed in this ſervice, and have been in the late Engagement, of their Repentance, and ſatisfaction given according to the Articles concluded by the Commiſsion of the late Generall Aſſembly of the Kirk, under the hands of the Miniſters or Seſſions of the Garriſons where they live or from the Commiſsion of the General Aſſembly; And whoſoever produce not ſuch certificats, ſhal not be admitted

admitted to this service, and the out-reikers of such shall be forced to put out others in their place; and the Commanders and Superior Officers are hereby Ordained to use their faithfull endeavours that those Souldiers which are to be Levied and put under their command, be qualified as is before expressed, with certification, that if they fail, their shall be no allowance of Levie-money granted to them that shall present the said Souldiers.

And because there be in this Kingdom a competent number of very faithfull, able and honest Commanders and Officers, who by the speciall providence of God and his singular mercy to this distressed Kingdom, have all this time kept themselves free, and have not been involved in the guiltinesse of the late unlawful Engagement, nor have suffered themselves to be insnared or entangled by the alluring baits of outward honours and profits; so that it were both against the principles of policy as well as piety, to intrust those with the charge of commanding our Forces or any part thereof, who have been lately in Armes against us: Therefore the Committee of Estates Ordains, that no Officers who have been employed, or accessory to the late unlawful Engagement against *England*, shall be admitted upon any terms to bear charge in this new modell, and that the Committee may have the more full assurance of the punctual performance hereof, Ordains all the Ruitmasters and Colonels of Foot foresaid to give in perfect Lists of all the inferiour Officers to be imployed by them, to be approven or not approven by

by the ſaid Committee; with certification that the Committee will proceed to appoint inferior Officers to all ſuch as within houres after notice hereof, ſhall not give in there foreſaid liſts.

And the Committee doth hereby declare, that it ſhall be left to the option and arbitriment of ſuch Commanders and Officers as are of known integrity, and qualified as is before expreſſed, to take from the ſeverall Shires and Burghs, either the number and proportion of men and Horſes that are to be put forth by the ſaid Shires and Burghs, Or to take the ſume of eightſcore pounds for each Horſeman and the ſume of fourty pounds for each Footman, providing alwayes, that if any of the ſaid Commanders ſhall chooſe rather to take money, then Horſe or men from the Shires; in that caſe they are to furniſh and provide men able, welaffected, and qualified as is before expreſſed, as they will be anſwerable to the Committee of Eſtates, With certification that if they having received moneys for Horſe and men, doe notwithſtanding faill, in raiſing and preſenting Horſe and men to the Generall Muſtermaſter at the time of Randezvous, or that the men raiſed and preſented by them, ſhall want certificats of their qualification in manner before expreſſed, not onely ſhall the Souldiers wanting ſuch certificats be rejected, and not admitted upon the ſervice, but alſo the leavy-moneys of thoſe Souldiers are not to be allowed to the Officers, but to be refounded if they have received any, and the Officers themſelves to be caſhiered with diſgrace.

And

And for the more speedy raising of the foresaid number and proportion of Horse and Foot: The Committee of Estates Ordains all Heretors, Proper Woodsetters, Life-Renters and other Subject in out-putting of Horse and Foot conform to the Acts of Parliament, (excepting always such as are before declared to be eximed by this Act) To put out their proportion of Horse and Foot well armed, and well mounted, the Foot two part with Muskets, and third part pikes, and all with swords: And to bring their severall proportions of Horse and Foot armed and provided as aforesaid to the place of Rendezvous in each Shire, to be delivered to their severall Officers under the pain of four hundred Merks for each deficient Horseman, and under the pain of a hundred pound for each deficient Footman not brought to the foresaid Rendezvous, which are hereby ordained to be kept at the Dyets following, viz. all the Shires on the South side of *Tay* upon the twenty sixt day of this moneth, and those upon the North side thereof upon the third day of *November* or at furtheſt within six dayes, after intimation hereof, shall be given to the severall Shires by the foresaid Officers, or to the Committees of War therein as they are now constituted by Warrants under the Lord Chancellour his hand: And the Committee Ordains the said Colonells of Foot and Rutemasters to be assisting to the Committees of War in the severall Shires (secluding from the said Committees such as are before excluded) in poynding and distrenzing the goods of any heretors & others foresaid who are deficient in outputting either of the Horse or Foot at least

in giving money therefore: *viz.* for every Horſman wanting at the day of Randezvous the ſome of 400. marks from every heretor and others foreſaid who are lyable to put them out, and for every Footman wanting, the ſumme of 100. pounds, and further declares that the foreſaids deficients ſhall be eſteemed as Enemies to and hinderers of the publick ſervice of this Kingdom and the good of this cauſe.

Mr. *Tho. Henderſon.*

*FINIS.*